

56-08-05

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/955,381
Filing Date	September 18, 2001
First Named Inventor	BERNASCONI ET AL.
Group Art unit	1646
Examiner Name	M.T. Brannock
Attorney Docket Number	4-30868A

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-0134
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$\_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Edward J. Wilusz, Jr.	Registration No. (Attorney/Agent)	Reg. No. 52,370 Attorney for Applicants
Signature		Date	June 7, 2005

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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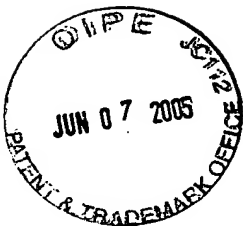
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FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10	
<u>EV4850833064S</u>	<u>June 7, 2005</u>
Express Mail Label Number	Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

CONFIRMATION NO.: 1717

BERNASCONI ET AL.

GROUP ART UNIT: 1646

APPLICATION NO: 09/955,381

EXAMINER: M.T. BRANNOCK

FILED: SEPTEMBER 18, 2001

FOR: NEW USE OF LIGANDS TO GABA<sub>B</sub> RECEPTORS

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action mailed December 9, 2004, having a shortened statutory period for response set to expire March 9, 2005, Applicants file a request for continued examination (RCE) under 37 C.F.R. § 1.114 and respectfully request the following amendment be entered and the claims considered in light thereof. Applicants also herein request a three month extension for this response as allowed under 37 C.F.R. § 1.136(a). This extension of time extends the time for response to June 9, 2005. The Examiner is authorized to charge Deposit Account No. 19-0134 in the name of Novartis Corporation for the fee required under 37 C.F.R. § 1.17(a).

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.